

REMARKS

Claims 9 - 14 and 16 - 31 are pending in the case. Claims 9, 17, and 26 are amended.

Claims 10, 16, 18, 24 and 26 were rejected under 35 U.S.C. § 112, 2nd paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention. In particular, the Examiner states that he is confused as to what the difference is between a deep groove ball bearing and a normal ball bearing. Enclosed is a website definition (http://www.bearings.globalspec.com/learnMore/Mechanical_Component...) indicating that radial ball bearings are commonly referred to as deep groove ball bearings or single row, deep groove (SRDG) ball bearings.

Claims 9 and 10, 12 - 13, 17 - 18, 20 - 21, 25 and 26 were also rejected under 35 U.S.C. § 103(a) as being unpatentable over Leroy et al. (U. S. Patent No. 4,683,605) in view of Beauchet.

With regard to the Leroy disclosure, claims 9, 17, and 26 have been amended to now require a single piece connecting rod. As discussed in previous amendments, Leroy does not show a single piece connecting rod pivotally connected to a drive arm and a first bearing point on the connecting rod and to a control arm, a second bearing point on the connecting rod. Leroy shows a two piece construction formed by rods 103 and 102 connected together at a hinge point 112. This Amendment should now overcome the rejection over Leroy.

Claims 9 - 10, 12 - 13, 17 - 18, 20 - 21, 25 and 26 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Schill et al. (U.S. Patent No. 5,884,357) in view of Beauchet (U. S. Patent No. 3,734,582).

The Applicant respectfully disagrees. Regarding the Schill reference, Schill discloses a bearing point 11 having a sleeve bearing. Schill also discloses a bearing sleeve 22 inserted and held axially onto the control lever 5. As stated in the amendment filed July 13, 2004, a sleeve bearing may be referred to a sacrificial bearing in which the sleeve material wears away with use. A sleeve bearing is not a cylindrical roller bearing nor is it any type of rolling contact bearing. Sleeve bearings are line-contact bearings. As a result, there is broad contact between the rod and

bearing during the back-and-forth sliding motion. A sleeve bearing generates a good deal of friction. Ball bearings are point-contact bearings which generate minimal friction. Schill also discloses a universal joint and a common ball and socket joint. There is no teaching or suggestion except for the Applicant's own invention to replace the sleeve bearing or universal joint with a deep-groove ball bearing.

Regarding claim 25, claim 25 requires that the bolt includes a radially protruding flange having one side resting against the inner ring and an opposite side resting against one of the drive arm and control arm. The advantages of the flange include that the flange provides a good support against the forces generated during the riveting process and provides proper spacing between the control arm and the driving arm or control arm. Further, the flange provides a stable connection of the riveted bolt to the deep groove ball bearing and the drive arm or control arm. This feature is not shown or disclosed in any of the prior art. The curvature of the connecting rod 6 in Schael at the universal joint (Fig. 4) would not accommodate the flange to provide the stability at the connection of the riveted bolt to the deep groove ball bearing and the control arm 5. Therefore, claim 25 is now believed to be allowable. Therefore, reconsideration of claims 9 - 10, 12 - 13, 17 - 18, 20 - 21, and 25 and 26 with respect to the Schill disclosure is requested.

Claims 9, 16 - 17, 24 and 27 - 31 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Schael et al. (U. S. Patent No. 5,860,186) in view of Beauchet.

The rejection of claims 9, 16 - 17, 24 and 27 - 31 as being unpatentable over Schael in view of Beauchet is traversed. Regarding the Schael patent, the Examiner admits that Schael discloses bearings 4 and 5 to be sleeve bearings. As discussed regarding the Schill patent, there is no teaching or suggestion in the prior art to replace the sleeve bearing in Schael with the roller bearing as disclosed in Beauchet. There is no showing or suggestion in the prior art to use a coaxial rolling contact bearing in the art of a four-hinged wiper arm. The Federal Circuit in In re Fritch, 972 F. 2d 1260, 23 USPQ 2d 1780 (Fed. Cir. 1992) stated. "The mere fact that the prior art may be modified in the manner suggested by the Examiner does not make the modification obvious unless the prior art suggested the desirability of the

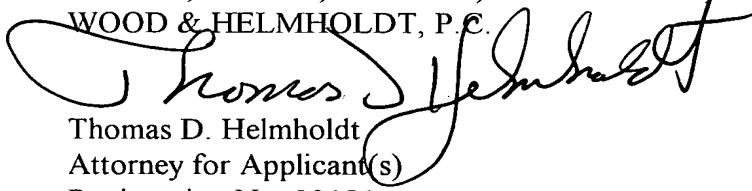
modification." Schael and Beauchet both fail to suggest any motivation for or desirability of changes suggested by the Examiner. The Federal Circuit in Fritch further stated that it "is impermissible to use the claimed invention as an instruction manual or "template" to piece together the teachings of the prior art so that the claimed invention is rendered obvious." Further, claim 9 requires that the inner and outer races of the bearing are axially and radially fixed to be non-rotatable with respect to the connecting rod. Schael, on the other hand, has a pivot pin 12 rotatably mounted in holes 11 of the connecting rod but is attached to the driver lever 2 in an unrotatable and axially secured manner due to press fitting. Therefore, a simple replacement of the sleeve bearings in Schael with the ball bearings in the present invention would not provide the four hinged wiper arm of the present invention. Therefore, reconsideration of claims 9, 16 - 17, 24 and 27 - 31 is requested

It is respectfully submitted that this Amendment traverses and overcomes all of the Examiner's objections and rejections to the application as originally filed. It is further submitted that this Amendment has antecedent basis in the application as originally filed, including the specification, claims and drawings, and that this Amendment does not add any new subject matter to the application. Reconsideration of the application as amended is requested. It is respectfully submitted that this Amendment places the application in suitable condition for allowance; notice of which is requested.

If the Examiner feels that prosecution of the present application can be expedited by way of an Examiner's Amendment, the Examiner is invited to contact the Applicant's attorney at the telephone number listed below.

Respectfully submitted,

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